



## COMMONWEALTH of VIRGINIA

*Office of the Lieutenant Governor*  
900 E. Main Street, Suite 1400  
Richmond, VA 23219

Timothy M. Kaine  
Lieutenant Governor

(804) 786-2078  
FAX: (804) 786-7514  
TTY/TDD: 1-800-828-1120  
EMAIL: ltgov@ltgov.state.va.us

October 2, 2003

The Honorable Mark R. Warner,  
Governor of Virginia  
State Capitol, 3<sup>rd</sup> Floor  
Richmond, VA 23219

The Honorable Jerry Kilgore,  
Virginia Attorney General  
900 East Main Street  
6<sup>th</sup> Floor  
Richmond, VA 23219

Dear Governor Warner and General Kilgore:

I write you as Chairman of Virginia's Disability Commission. On September 30<sup>th</sup>, the Commission unanimously passed a resolution requesting that Virginia file an amicus curiae brief in a critical case in the United States Supreme Court regarding the Americans with Disabilities Act (ADA). The Commission urges you to join the other states in order to demonstrate Virginia's commitment to the ADA.

The ADA is the federal law guaranteeing that citizens with disabilities will be treated in a fair manner. The ADA has helped countless Virginians, many of whom obtained their disabilities in service to the Commonwealth and the nation. As former President Bush stated when signing the ADA into law, Americans with disabilities "have faced persistent discrimination in the workplace, and barriers posed by inaccessible public transportation, public accommodation and telecommunications. It is altogether fitting that the American people have once again given clear expression to our most basic ideals of freedom and equality."

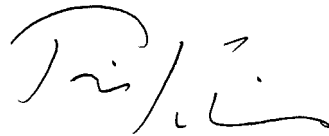
In *State of Tennessee v. George Lane, et. al.*, Tennessee asserts that Title II of the ADA, guaranteeing fair treatment of disabled citizens in the provision of governmental services, is unconstitutional. In the case that gave rise to this appeal, the parties challenged their own state for the failure to provide courthouses and courtrooms which are accessible to everyone. The district court and the 6<sup>th</sup> Circuit Court of Appeals both ruled in favor of the disabled citizens of Tennessee.

The Bush Administration will file a brief supporting the ADA. Numerous organizations and other states are also expected to file similar supporting amicus briefs. We ask that Virginia join the President in supporting the constitutionality of the ADA. November 7 is the date for parties filing amicus briefs.

Virginia has nothing to fear from a law that requires government services to be offered to all citizens in a fair manner. We should hold ourselves to the highest standard, in order to ensure that all Virginians have equal access to public buildings and services.

With warm regards, I remain

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Kaine", with a stylized flourish at the end.

Timothy M. Kaine  
Lieutenant Governor of Virginia